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Committee on Ways and Means

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MAY 15 1989

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The following document by the Special Committee to investigate and study the policies and practices of the Criminal Justice Training Center, as authorized by House Order No. 6174 of September 1988, is being submitted to the House as an interim report on the findings and recommendations of the Special Committee.

Because of the complexity of the task and the many remaining documents to be studied, it is the wish of the Special Committee to continue its investigation and study through April 15, 1989. At that time, the Special Committee will submit its final recommendations with a draft of legislation. However, the Special Committee also feels that the information gathered thus far and the conclusions that can be justifiably drawn at this time are of enough substance and significance to warrant this report. This interim report is intended to provide an outline of the Special Committee's activities thus far, and to establish potential guidelines for any immediate responses to the received deficiencies of the Criminal Justice Training Council and its operations as it continues to provide police cadet training in

the Commonwealth in the coming months. It is also the feeling of members of the Special Committee that a number of the deficiencies that have come to light as a consequence of this study and the formal investigations of other bodies warrant particular, and perhaps immediate, attention.

The incidents that prompted the appointment of the Special Committee occurred during the week of September 19, 1988 on the first day of training for the 50 police cadets of the 12th class of recruits to enter the Edward W. Connelly Police Training Center. The physical damage experienced by several of the cadets was extensive and has been well documented. An investigative report conducted by the Attorney General, which included a comprehensive environmental analysis by the Department of Public Health, has concluded that within a week of Sept. 19, 1988, every trainee of that particular class had been suffering from some degree of rhabomyolysis, muscle deterioration caused by a lack of sufficient water intake during a regimen of rigorous physical activity. At least sixteen of the cadets suffered serious enough effects to require admittance to a hospital. One of the cadets who was hospitalized, Timothy M. Shepard of Pittsfield, underwent a liver transplant and later died.

At the time the Special Committee was appointed, two other official investigations had already commenced to look into the incidents at the Edward W. Connelly Police Training Center overseeing that academy. The report of the Attorney General focused on the specific incidents at the Agawam academy during its first week of training that led to the illness and injury to

several of its cadets. In addition, the Governor appointed a Criminal Justice Training Council review board to study the standards for police cadet training statewide. The latter investigation is ongoing as of this writing.

From the outset, it was the stated intent of the Special Committee to augment these investigations by providing oversight and focusing special attention upon those aspects that were perceived to have special impact upon the deficiencies of the training academy in Agawam. This role was assumed by the Special Committee to avoid duplication of effort, and because it did not have the resources and staff available to the Attorney General and the Governor's review board.

To accomplish its objective, the Special Committee met formally with the Attorney General and members of his staff twice to discuss in detail the status and the progress of his investigation, and was given a special briefing upon the release of the report. Channels of communication between members of the Special Committee and the Attorney General and his staff were also established during the course of the investigation. The same was accomplished with the head of the Governor's Review Board. Four members of the Special Committee also served on the review board. There was also a substantial exchange of communication and points of view between the Special Committee and the secretary of Public Safety, with particular time and emphasis placed upon the proposals and analyses of the assistant public secretary who was designated as the interim director of the Criminal Justice Training Council.



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The deliberations with the principals above also involved an extensive sharing of documentation pertaining to the investigations and the operations of the Criminal Justice training Council, and has been a particular focus of the Special Committee. Another activity of the Special Committee was the solicitation from other states in the country of documentation, program descriptions, policies and philosophies pertaining to training of their municipal police and other public safety officers. The Special Committee feels that this information will have significant bearing upon its findings by providing ideas and models for improving police training methods in the Commonwealth. To date, the Special Committee has received and is analyzing documents from over 30 states.

As a consequence of these deliberations and activities, the Special Committee feels it is appropriate to present the following interim recommendations toward ensuring that a sound, comprehensive and progressive police policy training program is implemented in the Commonwealth, and that the incidents in September at the Agawam facility never reoccur. It is the feeling of the majority of the members of the Special Committee that these recommendations, pending further study and deliberation, should be addressed either in legislation to be submitted to the House or in policies on the Criminal Justice Training Council:

I. Administrative Reform

The most widespread indictment that has resulted from the September incidents at the Agawam training facility has been against the administration and operations of the Criminal Justice Training Council. Clearly, from top to bottom, the council failed in its most basic, primary task - to provide and oversee training for municipal police cadets. **An agency supported by almost \$3 million in state funds was not delivering the goods.** The Criminal Justice Training Council was deficient in its policies, its programs, and what became most apparent in the end, its accountability. At the top of the ladder was the 22-member council. By statute, it was only required to meet four times a year. Meetings were characterized by poor attendance. Not only was there an apparent lack of interest, some members did not even know they were a part of the board by statute. And under the current statute, most of the council's members were not accountable to any person, agency or the public. At the bottom of the bureaucratic setup were the State Police implementing the training with apparently little direction from or communication with the agency that was supposed to be in charge. Memos and directives from the top administrators were not being received, policies were not being implemented, and in the case of the Agawam facility in particular, screening and training practices were in

disarray. To date, five administrators at the Criminal Justice Training Council have been discharged. Unfortunately, this is not sufficient enough response to rectify the deficiencies and failures of the council. The system has been proven not to work. All statutory power of the Criminal Justice Training Council, as contained in Chapter Six, Sections 116 through 118, should be removed, and be reestablished under the following recommendations:

A. Reduce the council membership from 22 to 15 members, all to be appointed by the governor, with the secretary of public safety as the chairman. The council's duties would be only advisory with capacity in regard to the council's programs and policies. They will not have the power to hire, but with a majority vote, can remove the director with ratification of the secretary of public safety. Under this setup, true accountability would be established by placing ultimate responsibility in the lap of the secretary. Membership of the council would also be relegated to those with either a professional interest or a capacity for constructive oversight in the activities of the council. A suggested makeup of the council would be: the Attorney General; two chiefs of police selected by the board of directors of the Massachusetts Chiefs of Police Association Inc.; a town or city official selected by the Massachusetts Municipal Association; two police officers, one of whom may be retired, selected by the board of directors of the Massachusetts Police Association; a

physician specializing in physical fitness or sports medicine; a sheriff selected by the board of directors of the Massachusetts Sheriff's Association, a correctional officer selected by the board of directors of the Massachusetts Association of Correctional Officers; a member of the Board of Regents; a member of the State Police, current or retired; and four at-large members selected by the governor to represent four separate geographical areas of the state.

Meetings would be conducted monthly. No designees; any member missing more than four meetings would be removed.

B. Place the responsibility of the appointment of the executive director of the Criminal Justice Training Council solely in the hands of the Executive Secretary of Public Safety, the Council's chairman.

The executive director shall have at a minimum, an advanced degree in criminal justice, or an advanced degree in public administration with at least two years of experience in police or peace officer training, and at least two years experience in public safety. The executive director will be in charge of all aspects of training, personnel, management, administration, and budgetary aspects of the council. The executive director will ensure that standards will be set forth for all academy instructors to ensure they are qualified to instruct in their discipline, are

certified, and provided ongoing in-service programs. A primary responsibility will be to devise and implement a five-year management plan for the council. The executive director shall also appoint the directors of each of the council's five academies, with no approval required from the council. At any point in time the executive director can be removed by a majority vote of the council with ratification by the secretary of public safety, or by the order of the secretary of public safety.

II. Training

One of the most glaring deficiencies that have become apparent in the study of the policies and practices of the Criminal Justice Training Council has been the lack of written guidelines regarding the qualification and certification of instructors. It is the instructors that provide the end product, the training, and even the most cursory oversight should ensure that, at the very least, the instructors were instructed, qualified and certified to provide their service. Police instructors share a responsibility for the academic, emotional, and physical development of trainees. Not only must instructors be completely knowledgeable regarding pertinent goals, objectives, and subject matter, they must also zealously protect the health and safety of each trainee who is

undergoing instruction. Instructors serve as role models, teaching trainees how authority should be exercised. The pattern of behavior exhibited by instructors may often be emulated by trainees when they serve their communities. Therefore, instructors must maintain a professional manner at all times. An adherence to this ethic precludes the use of a practice such as the "modified stress program" that had been employed at Agawam and other academies of the Criminal Justice Training Council. Adherence to this training ethic requires that instructors ensure:

A. The safety of trainees who are under their immediate control and supervision. An instructor must be constantly alert to evidence that a trainee is experiencing a medical, physical, or emotional problem that affects performance, and take immediate corrective action. An instructor should be attentive to the following conditions:

1. a trainee should not be denied rest, water or food as a punitive measure
2. a trainee shall not be required to continue in physical activities that are beyond the individual's capability or capacity.
3. a trainee shall not be required to assume a position that is contrary to accepted positions beyond what is required to exhibit motor skills necessary to carry out police functions.

B. that a trainee is not maltreated or physically abused by being intentionally struck, kicked, shoved,

dragged or otherwise subjected to physical abuse. Push-ups, sit-ups, and other exercises should be designed to enhance physical fitness. However, within the bounds of good judgment, these exercises may be used on an individual basis for motivation and alertness purposes. Physical contact with trainees should be limited to situations where it is essential to demonstrate a required training skill or procedure, to prevent the occurrence of injury, or to render first aid. A trainee should not be the object of foul, abusive, profane or insulting language, except in role-playing situations when such language is used as a training device. A trainee shall not be the object of disparaging comments, whether humorous or not, with respect to the individual's race, religion, sex or ethnic background.

It is the recommendation of the Special Committee that the State Police not be assigned to any direct, official supervision over the administrative or day-to-day activities of any of the academies of the Criminal Justice Training Council. Nor should a member of the State Police serve as a director of an academy. However, a member of the State Police can be called upon to serve as an instructor in an academy, providing he or she meets the qualifications and standards set forth for instructors by the executive director of the Criminal Justice Training Council, and has a demonstrated expertise in the field of instruction.

The Special Committee recommends the use of experienced or veteran

municipal police or other public safety officers to be chiefly responsible for instruction in the academies of the Criminal Justice Training Council.

In other aspects of the curriculum, any academic portion of the training provided by the Criminal Justice Training Council should be applicable toward the acquisition of a college degree, whether that be an associate's or bachelor's degree. The academic aspect of the training curricula should be further emphasized, and additional requirements in the field of social sciences should be explored. Considering that the training facilities of the Criminal Justice Training Council are either in disrepair or woefully inadequate as a forum for academics, the council should explore the use of community colleges. The community college system in the Commonwealth can provide the proper academic atmosphere, and its colleges' environment would be a valuable adjunct to the academy training experience of the cadets.

III. Standards for Admittance into Training Programs

A career in law enforcement is one of the most demanding and socially significant careers an individual can choose today. The increasing complexity of today's society, and the growing stresses placed upon its order from an array of socioeconomic factors require than an individual who is responsible for keeping that order - by protecting and serving the public - be responsible, principled, dedicated, and both physically and psychologically fit in addition to

being able to respond to the day-to-day emergencies and situations that confront a police officer. Consequently, rigorous standards for admittance to the council's training academies should be set forth by the executive director, but at a minimum, should include not only testing for physical requirements, but also testing for illicit drug use and a standardized test for psychological fitness.

IV. Council Structure

The current structure of the Criminal Justice Training Council has been proven by events not to be the most efficient and constructive system capable of providing police training needs in the Commonwealth. During the deliberations of the Special Committee and its analysis of documents pertaining to training programs from several other states, a wide array of proposals and models have been suggested or studied. One model that would address the apparent lack of accountability and oversight attributed to the Criminal Justice Training Council would be to establish a five-member board of trustees for each of its five academies. Members of the board of trustees would be appointed by the council, with the approval of the executive director of public safety. The board of trustees would provide oversight for all training and academic activities of the academy, and would ensure that the academy adhered to all standards set forth by the executive



director for admittance and training of cadets. The board could also initiate the termination of an academy director with a two-thirds vote. That vote would require a ratification from the Criminal Justice Training Council advisory board by a majority vote with ratification by the Secretary of Public Safety, or by the order of the Secretary of Public Safety.

It is also the feeling of the Special Committee that centralization of the council's academy structure should be explored.

